



March 4, 2008  
*Via ECFS Transmission*

2600 Maitland Center Pkwy.  
Suite 300  
Maitland, FL 32751  
P.O. Drawer 200  
Winter Park, FL  
32790-0200  
Tel: 407-740-8575  
Fax: 407-740-0613  
www.tminc.com

Marlene H. Dortch, Commission Secretary  
Office of the Secretary  
Federal Communications Commission  
445 – 12<sup>th</sup> Street, SW – Suite TW-A325  
Washington, D.C. 20554

**RE: EB Docket No. 06-36**  
**CPNI Certification for Ernest Communications, Inc.**

Dear Ms. Dortch:

In accordance with Federal Communications Commission's Public Notice of January 29, 2008, and pursuant to 47 C.F.R. § 64.2009(e), Ernest Communications, Inc. hereby files its Certification of Customer Proprietary Network information (CPNI) for the year 2007 and supporting Statement. As directed by the Public Notice, please include this Certification in EB Docket No. 06-36.

Please contact me at 407-740-3006 or croesel@tminc.com if you have any questions about this filing.

Sincerely,

Carey Roesel  
Consultant to Ernest Communications, Inc.

*CR/gs*  
*Enclosure*

cc: Enforcement Bureau (*provided via ECFS website*)  
Best Copy and Printing (*FCC@BCPIWEB.COM*)  
tms: FCCx0801  
File: Ernest – FCC Certs/Orders

**ANNUAL 47 C.F.R. § 64.2009(e) OFFICER'S CERTIFICATION OF  
CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI) COMPLIANCE**

**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for Calendar Year: 2007

Name of company covered by this certification: Ernest Communications, Inc.

Form 499 Filer ID: 818014

Name of signatory: Paul Masters

Title of signatory: President

I, Paul Masters, certify and state that:

1. I am the President of Ernest Communications, Inc., and, acting as an agent of the company, I have personal knowledge of Ernest Communications' operating procedures as they relate to CPNI, and the Rules and Regulations of the Federal Communications Commission regarding CPNI.
2. I hereby certify that, to the best of my knowledge, information and belief, Ernest Communications' operating procedures are adequate to ensure compliance with its CPNI obligations pursuant to Section 222 of the Communications Act of 1934, as amended, and the Commission's rules found at 47 CFR Subpart U.
3. Attached to this certification as Exhibit A is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.



\_\_\_\_\_  
Paul Masters, President

\_\_\_\_\_  
March 1, 2008  
Date

**Exhibit A**  
**Statement of CPNI Procedures and Compliance**

## Statement of CPNI Procedures and Compliance

### **USE OF CPNI**

Ernest Communications, Inc., does not use or permit access to CPNI to market any telecommunications or non-telecommunications services. Ernest Communications has trained its personnel not to use CPNI for marketing purposes. Should Ernest elect to use CPNI in future marketing efforts, it will follow the applicable rules set forth in 47 CFR Subpart U, including, if necessary, the institution of operational procedures to ensure that notification is provided and customer approval is obtained before CPNI is used or disclosed.

### **PROTECTION OF CPNI**

Ernest Communications has put into place processes to safeguard its customers' CPNI from improper use or disclosure by employees; and to discover and protect against attempts by third parties to gain unauthorized access to customer CPNI. Most employees do not have access to CPNI at all. They can only pass on requests for CPNI or CPNI-related information to upper management. All CPNI information is stored locally by the company with no outside access allowed to others.

Although it has never occurred, Ernest Communications will maintain a record of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI.

### **DISCLOSURE OF CALL DETAIL OVER PHONE**

The company does not disclose CPNI over the telephone in response to a customer-initiated telephone inquiry, unless the customer can provide the call detail information that is the subject of the inquiry without the assistance of a customer service representative. If it elects to do so in the future, it will follow the applicable rules set forth in 47 CFR Subpart U, including the implementation of authentication procedures that do not require the use of readily available biographical information or account information and customer notification of account changes.

Company has put into place procedures to notify customers whenever an address of record is created or changed without revealing the changed information or sending the notification to the new account information. Customers are notified via mail to the address of record.

### **DISCLOSURE OF CPNI ONLINE**

Company does not disclose CPNI on-line. If it elects to do so in the future, it will follow the applicable rules set forth in 47 CFR Subpart U, including the implementation of authentication procedures that do not require the use of readily available biographical information or account information and customer notification of account changes.

### **DISCLOSURE OF CPNI AT RETAIL LOCATIONS**

Ernest Communications does not disclose CPNI at any retail locations.

**NOTIFICATION TO LAW ENFORCEMENT**

Company has in place procedures to notify law enforcement in the event of a breach of customers' CPNI and to ensure that customers are not notified of the breach before the time period set forth in the FCC's rules, or, if applicable, when so authorized by law enforcement.

Although it has never occurred Ernest Communications will maintain written records of all breaches discovered and notifications made to the USSS and the FBI, and to customers.

**ACTIONS AGAINST DATA BROKERS**

Company has not taken any actions against data brokers in the last year.

**CUSTOMER COMPLAINTS ABOUT CPNI BREACHES**

Company did not receive any customer complaints about the unauthorized release of CPNI or the unauthorized disclosure of CPNI in calendar year 2007.

**INFORMATION ABOUT PRETEXTERS**

Company has not developed any information with respect to the processes pretexters are using to attempt to access CPNI but does take aggressive steps to protect CPNI.